



**Minutes of the City of Unley
Council Meeting
Monday, 27 June 2022, 7.00pm
Council Chambers
181 Unley Road Unley**

PRESENT

<i>Presiding Member</i>	<i>Deputy Mayor</i>	D. Palmer
<i>Councillors</i>	K. Anastassiadis	J. Boisvert
	J. Bonham	M. Broniecki
	S. Dewing	J. Dodd
	P. Hughes	M. Rabbitt
	J. Russo	N. Sheehan
	E. Wright	

OFFICERS PRESENT

Chief Executive Officer, Mr P. Tsokas
General Manager City Services, Ms M. Berghuis
General Manager City Development, Mr C. Malak
General Manager Business Support & Improvement, Ms N. Tinning
Acting Manager Governance, Ms K. Goldy
Executive Assistant Office of the CEO, Ms L. Kennedy
Manager Finance and Procurement, Mr A. Brown
Transport Lead, Ms T. Bacic

ACKNOWLEDGEMENT

The Presiding Member opened the meeting with the Kaurna Acknowledgement.

PRAYER AND SERVICE ACKNOWLEDGEMENT

Members stood in silence in memory of those who had made the Supreme Sacrifice in the service of their country, at sea, on land and in the air.

WELCOME

The Presiding Member welcomed Members of the Council, Senior Staff, Media and members of the gallery to the 27 June 2022, meeting of the Unley City Council.

1. ADMINISTRATIVE MATTERS

1.1 APOLOGIES

Mayor M. Hewitson

1.2 LEAVE OF ABSENCE

Nil

1.3 CONFLICT OF INTEREST

Nil

1.4 MINUTES

ITEM 1.4.1

MINUTES OF THE ORDINARY COUNCIL MEETING HELD MONDAY, 23 MAY 2022

MOVED Councillor J. Dodd

SECONDED Councillor S. Dewing

That:

1. The minutes of the Ordinary Council held on Monday, 23 May 2022 be taken as read and signed as a correct record.

CARRIED UNANIMOUSLY

Resolution No. C0788/22

1.5 DEFERRED / ADJORNED ITEMS

Nil

2. PETITIONS/DEPUTATIONS

ITEM 2.1

DEPUTATION RE: E-SCOOTER 6 MONTH TRIAL IN THE CITY OF UNLEY

1. Mary Kolusniewski, Goodwood

Re: the 6 month trial of E-Scooters, started on 01/03/22 in the City of Unley

3. REPORTS OF COMMITTEES

Nil

4. REPORTS OF OFFICERS

ITEM 4.1

DRAFT WALKING AND CYCLING PLAN 2022-2027

MOVED Councillor J. Bonham

SECONDED Councillor M. Broniecki

That:

1. The report be received.
2. The draft Walking and Cycling Plan 2022-27, as set out in Attachment 1 to the report (Item 4.1, Council Meeting 27/06/2022), be endorsed for the purpose of community consultation.
3. The CEO be authorised to make minor editorial and formatting changes as required to the draft Walking and Cycling Plan 2022-27, in order to finalise the document for the purpose of undertaking community consultation.
4. Following the conclusion of community consultation, a further report outlining the summary of the feedback on the draft Walking and Cycling Plan 2022-27 be received, and the final Walking and Cycling Plan 2022-27 be presented to Council.

CARRIED UNANIMOUSLY

Resolution No. C0789/22

ITEM 4.2

NORTH UNLEY PARK MASTER PLAN

MOVED Councillor J. Russo

SECONDED Councillor S. Dewing

That:

1. The report be received.
2. The North Unley Park Master Plan, as set out in Attachment 1 to this report (Item 4.2 Council Meeting 27/06/2022), be endorsed.
3. The CEO be authorised to make minor editorial and formatting changes as required to the North Unley Master Plan, in order to finalise the document.

CARRIED UNANIMOUSLY

Resolution No. C0790/22

ITEM 4.3**CLIMATE CHANGE POLICY**

MOVED Councillor K. Anastassiadis

SECONDED Councillor M. Rabbitt

That:

1. The report be received.
2. The Climate Change Policy (set out in Attachment 1 to Item 4.3, Council Meeting, 27/06/2022) be adopted.
3. The CEO be authorised to make minor editorial and formatting changes as required to the Climate Change Policy, in order to finalise the Policy.

CARRIED UNANIMOUSLY

Resolution No. C0791/22

ITEM 4.4**PLASTIC FREE SA PROGRAM**

MOVED Councillor S. Dewing

SECONDED Councillor N. Sheehan

That:

1. The report be received.
2. The promotion of the Plastic Free SA Program, to encourage participation from local retail food businesses within the City of Unley, is endorsed.

CARRIED UNANIMOUSLY

Resolution No. C0792/22

ITEM 4.5

DISPOSAL OF ROAD - PORTION BEACONSFIELD STREET, HYDE PARK

MOVED Councillor M. Broniecki

SECONDED Councillor M. Rabbitt

That:

1. The report be received.
2. Pursuant to the requirements of the *Roads Opening and Closing Act 1991*, the subject portion of public road known as Beaconsfield Street, Hyde Park, as outlined in Attachment 1 of this report, (Item 4.5, Council Meeting, 27/06/2022) be closed as a public road, with the cost of this process being met by the owner of 2 Beaconsfield Street, Hyde Park.
3. Subject to the outcomes of the required community consultation process, in relation to the closure of the subject portion of public road known as Beaconsfield Street, Hyde Park, the Mayor and Chief Executive Officer be authorised to sign and seal any documents pertaining to this matter.
4. The subject portion of public road known as Beaconsfield Street, Hyde Park, located on the eastern side of 2 Beaconsfield Street, Hyde Park, be excluded from Council's classification of Community Land.
5. Pursuant to Section 193(6)(a) of the *Local Government Act 1999*, a notice regarding the closure of the subject portion of public road known as Beaconsfield Street, Hyde Park, be published in the Government Gazette.
6. At the conclusion of the required process, the disposal of the subject portion of public road known as Beaconsfield Street, Hyde Park, be completed through the Lands Titles Office.
7. At the conclusion of the required process, in order to finalise the disposal of the subject portion of land known as Beaconsfield Street, Hyde Park payment in the amount of \$21,450 (plus GST if required), as per the valuation dated 3 April 2022, be sought from the owner of 2 Beaconsfield Street, Hyde Park.

CARRIED UNANIMOUSLY

Resolution No. C0793/22

The Presiding Member sought leave of the meeting to bring forward item 4.7 Proposed 2022-23 Fees and Charges, and leave was granted

ITEM 4.7**PROPOSED 2022-23 FEES AND CHARGES**

MOVED Councillor M. Rabbitt

SECONDED Councillor J. Boisvert

That:

1. The report be received.
2. The Fees and Charges Schedule for the 2022-23 financial year, as set out in Attachment 1 to this report (Item 4.7, Council Meeting 27/06/2022), be approved to take effect from 1 July 2022.
3. Staff be authorised to include statutory fees and charges in the Fees and Charges Schedule available for public inspection, subsequent to those being published in the SA Government Gazette.

CARRIED UNANIMOUSLY

Resolution No. C0794/22

ITEM 4.6**2022-23 ANNUAL BUSINESS PLAN AND BUDGET ADOPTION**

MOVED Councillor M. Broniecki

SECONDED Councillor J. Bonham

That:

1. The report be received.
2. That the following recommendations 2.1 to 2.7 be formally resolved and adopted separately in the following order:
 - 2.1 Adoption of the 2022-23 Annual Business Plan and Budget.
 - 2.2 Adoption of Valuations.
 - 2.3 Declaration of General Rates.
 - 2.4 Minimum Amount (General Rates).
 - 2.5 Maximum Increase (General Rates).
 - 2.6 Declaration of Separate Rates.
 - 2.7 Payment of Rates.
3. The CEO be authorised to make minor editorial and formatting changes as required to the Annual Business Plan and Budget, in order to finalise the document.

CARRIED UNANIMOUSLY

Resolution No. C0795/22

2.1 Adoption of the 2022-23 Annual Business Plan and Budget

MOVED: Councillor M. Broniecki

SECONDED: Councillor J. Bonham

- (a) That pursuant to the provisions of section 123(6) and (7) of the *Local Government Act 1999* and regulations 6 and 7 of the *Local Government (Financial Management) Regulations 2011* and having considered all prescribed matters as per Attachment 1 to Item 4.6, Council Meeting 27/06/2022 – the Council adopts, firstly, the 2022-23 Annual Business Plan, and secondly, the 2022-23 Budget.

CARRIED UNANIMOUSLY
Resolution No. C0796/22

2.2 Adoption of Valuations

MOVED: Councillor J. Dodd

SECONDED: Councillor M. Rabbitt

That in accordance with section 167(2)(a) of the *Local Government Act 1999*, the capital values provided by the Valuer-General for rating purposes in relation to the Council area and totalled below, be adopted for the year ending 30 June 2023.

Rateable Assessed Capital Values	\$20,144,986,805
Non Rateable	\$432,673,075
Total Assessed Capital Value as reconciled with the Valuer-General at 1 July 2022	\$20,577,659,880

CARRIED UNANIMOUSLY
Resolution No. C0797/22

2.3 Declaration of General Rates

MOVED: Councillor J. Boisvert

SECONDED: Councillor J. Dodd

That for the year ending 30 June 2023 the Council declares differential general rates, based on the capital value of the rateable land subject to the rate and varying according to the use of the land, pursuant to sections 153 (1)(b) and 156(1)(a) of the *Local Government Act, 1999* and regulation 14(1) of the *Local Government (General) Regulations 2013* and otherwise resolves as follows:

- (a) In respect to land with a land use category of **Residential**, a differential general rate in the dollar of 0.001869.
- (b) In respect to land with a land use category of **Commercial Shop, Industry Light, Industry – Other, Primary Production, Vacant Land** or **Other**, a differential general rate in the dollar of 0.004715.

- (c) In respect to land with a land use category of **Commercial Office** or **Commercial Other**, a differential general rate in the dollar of 0.005425.

CARRIED UNANIMOUSLY
Resolution No. C0798/22

2.4 Minimum Amount (General Rates)

MOVED: Councillor J. Russo

SECONDED: Councillor E. Wright

That for the year ending 30 June 2023 a minimum fixed amount of \$907 shall be payable by way of general rates, on each piece of rateable land within the Council area, pursuant to section 158(1)(a) of the *Local Government Act 1999*.

CARRIED UNANIMOUSLY
Resolution No. C0799/22

2.5 Maximum Increase (General Rates)

MOVED: Councillor J. Boisvert

SECONDED: Councillor K. Anastassiadis

That for the year ending 30 June 2023 pursuant to section 153(3) of the *Local Government Act 1999* the Council will not fix a maximum increase in the general rate to be charged on any rateable land that constitutes the principal place of residence of a principal ratepayer.

CARRIED UNANIMOUSLY
Resolution No. C0800/22

2.6 Declaration of Separate Rates

That for the year ending 30 June 2023 the Council declares differential separate rates, based on the capital value of the rateable land subject to the rate and varying according to the use of the land, pursuant to sections 154 and 156(1)(a) of the *Local Government Act 1999* and regulation 14(1) of the *Local Government (General) Regulations 2013* and otherwise individually resolves as follows:

MOVED: Councillor M. Broniecki

SECONDED: Councillor J. Dodd

- (a) A rate in the dollar of 0.00007365 on all land within the area of the Green Adelaide Board to reimburse the Council the amount to be contributed to the Board of \$1,463,439 in accordance with section 69 of the *Landscape South Australia Act 2019*.

CARRIED UNANIMOUSLY
Resolution No. C0801/22

MOVED: Councillor J. Russo

SECONDED: Councillor S. Dewing

- (b) A rate in the dollar of 0.0003303, capped at \$2,000 per assessment, on land with a land use of Commercial Shop, Commercial Office and Commercial Other, with addresses along the entirety of Unley Road, to raise \$117,590 for use by the **Unley Road Association Inc.** to fund marketing, street beautification and minor value-added infrastructure for the financial year ending 30 June 2023.

CARRIED UNANIMOUSLY
Resolution No. C0802/22

MOVED: Councillor N. Sheehan

SECONDED: Councillor J. Dodd

- (c) A rate in the dollar of 0.001198, capped at \$2,000 per assessment, on land with a land use of Commercial Shop, Commercial Office and Commercial Other, with addresses along Goodwood Road between Leader Street / Parsons Street to the north and Mitchell Street / Arundel Avenue to the south, to raise \$57,225 for use by the **Goodwood Road Business Association** to fund marketing, street beautification and minor value-added infrastructure for the financial year ending 30 June 2023.

CARRIED UNANIMOUSLY
Resolution No. C0803/22

MOVED: Councillor S. Dewing

SECONDED: Councillor J. Russo

- (d) A rate in the dollar of 0.002005, capped at \$2,000 per assessment, in respect of land with a land use of Commercial Shop with addresses along King William Road between Greenhill Road and Commercial Road, to raise \$150,350 for use by the **King William Road Traders' Association Inc** to fund marketing, street beautification and minor value-added infrastructure for the financial year ending 30 June 2023.

CARRIED UNANIMOUSLY
Resolution No. C0804/22

MOVED: Councillor N. Sheehan

SECONDED: Councillor S. Dewing

- (e) Pursuant to section 166(1)(m)(i) and (ii) of the *Local Government Act 1999*, to avoid a liability that is inconsistent with the Annual Business Plan and/or that is unfair or unreasonable, the Council provides a discretionary rebate for the year ending 30 June 2023, **in respect of each rateable assessment along Unley, Goodwood and King William Roads** that is subject to a separate rate in the dollar (as above) for marketing, street beautification and minor value-added infrastructure, of any amount that exceeds a separate rate liability of \$2,000 in respect of a single assessment.

CARRIED UNANIMOUSLY
Resolution No. C0805/22

MOVED: Councillor P. Hughes

SECONDED: Councillor K. Anastassiadis

- (f) A rate based upon a fixed charge of \$250 on land with a land use of Commercial Shop, Commercial Office, and Commercial Other with addresses along Fullarton Road situated between Cross Road and Fisher Street to raise \$13,750 for use by the **Fullarton Road South Traders Association Inc.** to fund marketing, street beautification and minor value-added infrastructure for the financial year ending 30 June 2023.

CARRIED UNANIMOUSLY
Resolution No. C0806/22

2.7 Payment of Rates

MOVED: Councillor M. Broniecki

SECONDED: Councillor M. Rabbitt

That for the fiscal year ending 30 June 2023, all rates declared and imposed shall, pursuant to section 181(1) and 181(2) and subject to section 181(4)(b) of the *Local Government Act, 1999*, fall due in a single instalment on 1 September 2021 or four equal or approximately equal instalments on:

- 1 September 2022
- 1 December 2022
- 1 March 2023 and
- 1 June 2023

CARRIED UNANIMOUSLY
Resolution No. C0807/22

ITEM 4.8

COUNCIL BY-LAW REVIEW

MOVED Councillor J. Bonham

SECONDED Councillor J. Dodd

That:

1. The report be received.
2. In exercise of the powers contained in section 246 of the *Local Government Act 1999*, having satisfied the consultation requirements of the Act and having had regard to the outcome of the consultation process, the National Competition Policy Report, the Certificates of Validity provided by the Council's legal practitioner and the comments from the Dog and Cat Management Board in relation to By-law number 5, the majority of Council, in the presence of at least two thirds of its Members, hereby makes and passes the following By-laws as attached and marked 'Attachment 1':

- Permits and Penalties By-law No. 1 of 2022;
 - Roads By-law No. 2 of 2022;
 - Local Government Land By-law No. 3 of 2022;
 - Moveable Signs By-law No. 4 of 2022; and
 - Dogs By-law No. 5 of 2022.
3. That the Chief Executive Officer be authorised to undertake all steps necessary to finalise the By-law review process and to give effect to the newly adopted By-laws.

CARRIED UNANIMOUSLY

Resolution No. C0808/22

ITEM 4.9

CEO KPIS 2021/22 UPDATE

MOVED Councillor J. Russo

SECONDED Councillor K. Anastassiadis

That:

1. The report be received.

CARRIED UNANIMOUSLY

Resolution No. C0809/22

ITEM 4.10

CEO'S PROPOSED KEY PERFORMANCE INDICATORS 2022/23

MOVED Councillor J. Russo

SECONDED Councillor K. Anastassiadis

That:

1. The report be received.
2. The proposed CEO Key Performance Indicators for 2022/23, developed by the CEO Performance Review Panel in consultation with all Elected Members and the CEO, as set out in Attachment 1 to this report (Item 4.10, Council Meeting 27/06/2022), be adopted.

CARRIED UNANIMOUSLY

Resolution No. C0810/22

ITEM 4.11

TRADER ASSOCIATION QUARTER 3 REPORTS 1 JANUARY - 31 MARCH 2022

MOVED Councillor S. Dewing

SECONDED Councillor N. Sheehan

That:

1. The report be received.

CARRIED UNANIMOUSLY

Resolution No. C0811/22

ITEM 4.12

RECONCILIATION PROGRESS UPDATE

MOVED Councillor J. Boisvert

SECONDED Councillor J. Dodd

That:

1. The report be received.

CARRIED UNANIMOUSLY

Resolution No. C0812/22

ITEM 4.13

COUNCIL ACTION RECORDS

MOVED Councillor M. Rabbitt

SECONDED Councillor J. Dodd

That:

1. The report be noted.

CARRIED UNANIMOUSLY

Resolution No. C0813/22

5. MOTIONS AND QUESTIONS

5.1 MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

ITEM 5.1.1

NOTICE OF MOTION FROM COUNCILLOR J. BONHAM RE: GLEN OSMOND ROAD / FULLARTON ROAD UPGRADE

MOVED Councillor J. Bonham

SECONDED Councillor K. Anastassiadis

That:

1. A letter be sent to the Hon Tom Koutsantonis MP, Minister for Infrastructure and Transport, requesting:
2. An Elected Member Briefing be held in July 2022 with representatives from the Department of Infrastructure and Transport (DIT) regarding the Glen Osmond Road/Fullarton Road intersection upgrade to provide information on:
 - (a) The project benefits, including travel time savings and safety improvements, particularly noting the recent change in project scope to reinstate the right turn from Fullarton Road into Glen Osmond Road, heading towards the South-eastern Freeway.
 - (b) The impacts on the local street network, in particular on Campbell Road, Birks Street and Olive Street, resulting from the right turn bans at Fullarton Road into Glen Osmond Road, heading towards the City and Hone Street.
 - (c) The impacts of reinstating the right turn from Fullarton Road into Glen Osmond Road, heading towards the South-eastern Freeway on adjacent land uses and vulnerable users (e.g. pedestrians).
 - (d) The proposed engagement strategy to communicate the local street impacts to the community, and approaches that they plan to implement to minimise the impact.

Councillor P. Hughes MOVED an AMENDMENT:

SECONDED: Councillor M. Rabbitt

That

1. A letter be sent to the CEO of DIT requesting:
2. An Elected Member Briefing be held in July 2022 with representatives from the Department of Infrastructure and Transport (DIT) regarding the Glen Osmond Road/Fullarton Road intersection upgrade to provide information on:
 - (a) The project benefits, including travel time savings and safety improvements, particularly noting the recent change in project scope to reinstate the right turn from Fullarton Road into Glen Osmond Road, heading towards the South-eastern Freeway.
 - (b) The impacts on the local street network, in particular on Campbell Road, Birks Street and Olive Street, resulting from the right turn bans at Fullarton Road into Glen Osmond Road, heading towards the City and Hone Street.

- (c) The impacts of reinstating the right turn from Fullarton Road into Glen Osmond Road, heading towards the South-eastern Freeway on adjacent land uses and vulnerable users (e.g. pedestrians).
- (d) The proposed engagement strategy to communicate the local street impacts to the community, and approaches that they plan to implement to minimise the impact.

The AMENDMENT was declared **LOST**

With the LEAVE of the meeting and consent of the SECONDER, Councillor J. Bonham VARIED the MOTION:

That:

1. A letter be sent to the Hon Tom Koutsantonis MP, Minister for Infrastructure and Transport, and the Chief Executive Officer, Department of Infrastructure and Transport, requesting:
2. An Elected Member Briefing be held in July 2022 with representatives from the Department of Infrastructure and Transport (DIT) regarding the Glen Osmond Road/Fullarton Road intersection upgrade to provide information on:
 - (a) The project benefits, including travel time savings and safety improvements, particularly noting the recent change in project scope to reinstate the right turn from Fullarton Road into Glen Osmond Road, heading towards the South-eastern Freeway.
 - (b) The impacts on the local street network, in particular on Campbell Road, Birks Street and Olive Street, resulting from the right turn bans at Fullarton Road into Glen Osmond Road, heading towards the City and Hone Street.
 - (c) The impacts of reinstating the right turn from Fullarton Road into Glen Osmond Road, heading towards the South-eastern Freeway on adjacent land uses and vulnerable users (e.g. pedestrians).
 - (d) The proposed engagement strategy to communicate the local street impacts to the community, and approaches that they plan to implement to minimise the impact.

The MOTION was PUT and **CARRIED UNANIMOUSLY**

Resolution No. C0814/22

5.2 MOTIONS WITHOUT NOTICE

Nil

5.3 QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN

ITEM 5.3.1

QUESTION TAKEN ON NOTICE AT COUNCIL MEETING 23/05/2022 RE: BEE HIVE REMOVAL AT GRANTLEY AVENUE, MILLSWOOD

The following questions were asked without notice by Councillor J. Boisvert at the Council Meeting on 23 May 2022. At that time the questions were taken on notice. The answers are now provided:

QUESTIONS

1. Why were the residents of Grantley Avenue not informed (letterbox) that the bees at 11 Grantley Avenue were to be removed?
2. Do we usually do this?
3. Do staff report beehives in trees or do they rely entirely on resident observations/complaints?
4. Explain how the mistake in Grantley Avenue occurred?

ANSWERS

1. The residents at 7, 8, 9, 10, 11, 12, 13 and 14 Grantley Avenue were notified via a letterbox drop that the beehive located adjacent no. 11 Grantley Avenue was to be relocated. The contractor also spoke directly with residents at 9 and 11 regarding the works being undertaken.
2. As part of the current process, residents whose properties are located in the vicinity of a beehive which is proposed to be relocated are notified via a letterbox drop.
3. Council staff do report beehives if observed as it is a potential public safety hazard. However, the majority of reports are received via residents or members of the community.
4. As outlined in response (1) above, a letterbox drop was undertaken for various residents of Grantley Avenue whose properties are located adjacent the beehive which is being relocated. In this respect, regarding informing residents of Grantley Avenue of the proposed actions, the correct procedure as per the current practices was followed.

5.4 QUESTIONS WITHOUT NOTICE

Councillor J. Dodd asked a series of questions regarding chainsaw hollows. The questions were TAKEN ON NOTICE by the General Manager City Development:

1. What, if any research has been undertaken by the City of Unley (or other local councils) on the effectiveness of chainsaw hollows for wildlife?
2. Have chainsaw hollows ever been used in the CoU?
3. If so, what was their effectiveness?
4. Have any sites been identified which would be suitable for chainsaw hollows?
5. If so, what would the start up and ongoing costs of such hollows be?
6. Do chainsaw hollows have any impact on the health of the trees?

6. MEMBER'S COMMUNICATION

6.1 MAYORS REPORT

ITEM 6.1.1

MAYOR'S REPORT FOR MONTH OF JUNE 2022

MOVED Councillor K. Anastassiadis

SECONDED Councillor M. Broniecki

That:

1. The report be received.

CARRIED UNANIMOUSLY

Resolution No. C0815/22

6.2 DEPUTY MAYORS REPORT

ITEM 6.2.1

DEPUTY MAYOR'S REPORT FOR MONTH OF JUNE 2022

MOVED Councillor S. Dewing

SECONDED Councillor J. Dodd

That:

1. The report be received.

CARRIED UNANIMOUSLY

Resolution No. C0816/22

6.3 ELECTED MEMBERS REPORTS

ITEM 6.3.1 REPORTS OF MEMBERS JUNE 2022

Council noted the attached reports from Members:

1. Councillor M. Broniecki
2. Councillor K. Anastassiadis

6.4 CORRESPONDENCE

ITEM 6.4.1 CORRESPONDENCE

The correspondence from:

- Mayor Michael Hewitson to The Hon Nick Champion MP – Re. Unley Council Request for Support re. Community Engagement for Tree Offset Fund
- Mayor Michael Hewitson to The Hon Nick Champion MP – Re. South Australian Tree Legislation and Policy Improvement

was noted.

7. CONFIDENTIAL ITEMS

Nil

NEXT MEETING

Monday 11 July 2022 - 7.00pm

CLOSURE

The Presiding Member closed the meeting at 8.36pm.

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PRESIDING MEMBER